

Michigan State University College of Law
Digital Commons at Michigan State University College of Law

Resolutions

The (International) Association of Fish & Wildlife
Agencies Conservation Collection

9-10-1957

Resolution 1957-20-30 State and Provincial Water Use Laws

Association of Fish and Wildlife Agencies

Follow this and additional works at: http://digitalcommons.law.msu.edu/afwa_reso



Part of the [Environmental Law Commons](#), [Natural Resources Law Commons](#), and the [Water Law Commons](#)

Recommended Citation

Association of Fish and Wildlife Agencies, *Resolution 1957-20-30 State and Provincial Water Use Laws* (1957),
Available at: http://digitalcommons.law.msu.edu/afwa_reso/710

This Conference Proceeding is brought to you for free and open access by the The (International) Association of Fish & Wildlife Agencies Conservation Collection at Digital Commons at Michigan State University College of Law. It has been accepted for inclusion in Resolutions by an authorized administrator of Digital Commons at Michigan State University College of Law. For more information, please contact domannbr@law.msu.edu.

RESOLUTION NO. 18

OPERATION OUTDOORS

Whereas, the U. S. Department of Agriculture, through the U.S. Forest Service, has developed a long-needed program identified as "Operation Outdoors." and

Whereas, Part I of this program, concerning national forests recreation aimed at solving the mounting problem of increased family outdoor activity, has been completed and is ready for implementation, and

Whereas, Part II will deal with improvement and management of wildlife habitat on the national forests in cooperation with the fish and game departments, and

Whereas, both phases of these activities have long been needed and have been programmed in a most thorough and systematic manner.

Now, therefore, be it resolved that the International Association of Game, Fish and Conservation Commissioners commends most highly the U. S. Department of Agriculture for preparing the analyses and resulting plans dealing with the extremely important recreational and wildlife values of the national forests, and urges congress to implement the program through appropriate financing.

RESOLUTION NO. 19

EXOTIC SPECIES

Whereas, the program of the U. S. Fish and Wildlife Service to import desirable game birds and mammals has shown the potential of such importations to the outdoor recreational resources of the nation; and

Whereas, the program should be encouraged through the cooperative management, regulatory and research efforts of the federal and state conservation agencies,

Now, therefore, be it resolved that this association urges congress to take favorable action on the objectives of H.R. 6572 and H.R. 6834, two bills which will bolster current regulations insuring against the importation of undesirable species, and

Be it further resolved that the U. S. Fish and Wildlife Service through its Bureau of Sport Fisheries and Wildlife be urged to step up its program to trap and otherwise acquire game birds whose value has been determined by the surveys already accomplished, and

Be it further resolved that this association urges the Bureau of Sport Fisheries and Wildlife to increase its cooperation with the states (1) by making available to the states up-to-date reports of the progress of this importation project, and (2) by using the ecological and climatological knowledge currently known by state technicians in compiling data needed for the determination of the desirability of introduction sites, and

Be it further resolved that the association does hereby commend the Bureau of Sport Fisheries and Wildlife and particularly Dr. and Mrs. Gardiner Bump for the outstanding work that has been done to date on a limited budget.

RESOLUTION NO. 20

STATE AND PROVINCIAL WATER USE LAWS

Whereas, more and more states of the midwest, east and south are studying and considering the enactment of new water use control laws embodying water appropriation doctrines such as have long been in effect in western parts of the United States, and

Whereas, aquatic life, wildlife in general, and outdoor recreation are recognized as among our most important resources, and

Whereas, existing laws embodying the said water appropriation doctrine for the most part give little or no statutory recognition to the varied recreational uses of water, and

Whereas, this association believes that actual or potential recreational waters deserve and should have protection in law against unwise or undesirable exploitation,

Now, therefore, be it resolved, that the International Association of Game, Fish and Conservation Commissioners, in convention assembled in Las Vegas, Nevada, this 10th day of September, 1957, does go on record as supporting and advocating the following:

1. That whenever state or provincial laws governing water use control are enacted, the recreational use of water shall be declared and recognized as a primary beneficial use.
2. That in any such laws there shall be written certain safeguards including but not limited to the following:
 - a. Allocations of water for consumptive uses may only be made on the basis of accurate and up-to-date inventories of water quantities and flows.
 - b. Where recreational factors exist or may be foreseen, allocations of water may be made only on the basis of minimum flows rather than maximum or average flows.

- c. Relatively clean upstream flows may not be diverted to an extent that will result in the aggravation of pollution problems in areas downstream from a water diversion point.
- d. Waters of a stream may not be diverted to a point where an adequate recreational population of desirable aquatic life cannot survive or so greatly that other important recreational factors are put in jeopardy.
- e. Similarly, waters of a natural lake may not be withdrawn to an undesirable point.
- f. Where endangering upstream diversions may be foreseen, and would be of such great importance to the economy of the area as not to be denied, then "compensation in kind" shall be provided, by the impoundment by the diverters of flood flows that must be gradually released during periods of water deficiency in natural channels downstream.

Be it further resolved, that there be referred to the executive committee of the association, for further study and report, the question of whether this association shall go on record as favoring the naming, by law, of a primary state or provincial recreational agency as the official custodian or guardian of waters reserved under state or provincial law for recreational purposes.

Be it further resolved, that copies of this resolution be distributed to the governors of the respective states and the appropriate ministerial heads of the Canadian provinces.

RESOLUTION NO. 21

WETLANDS DRAINAGE

Be it resolved by the International Association of Game, Fish and Conservation Commissioners that we are opposed to the use of federal funds and services for the drainage of wetlands of value to wildlife, and decry the inconsistent policy of subsidizing unwise and/or unnecessary drainage on one hand and water storage on the other. We strongly favor the conservation and storage of all fresh water resources where and when this is possible.

RESOLUTION NO. 22

WATER POLLUTION

Whereas, Public Law 660 of the 84th congress, the Federal Pollution Control Act of 1956, has been under actual administration for a period of ten months, and

Whereas, this Act authorized \$50 million a year for a 10-year program of grants-in-aid to municipalities for water pollution control through installation of treatment plants, and

Whereas, congress appropriated for this purpose the full amount of \$50 million for fiscal year '57 and \$45 million for fiscal year '58, and

Whereas, during the first 10 months of administration 1,264 projects for grants have been approved or are in the process of approval, the total cost of which is more than \$741,886,000, the federal share in such grants-in-aid of construction being \$104,496,000, and

Whereas, there is now a continuous flow of applications (253 additional applications now known to be in process by municipalities) with nine months yet to go before the end of the second fiscal year, and

Whereas, the expanding population and economy is increasing the need for treatment works over the present backlog, and

Whereas, great benefits in water purification are resulting from these grants, and

Whereas, these grants-in-aid have accelerated the construction of greatly needed treatment plants throughout the nation.

Now, therefore, be it resolved, that the International Association of Game, Fish and Conservation Commissioners, in its 47th annual convention assembled at Las Vegas, Nevada, this 10th day of September, 1957, strongly urges the president of the United States, the director of the budget, and the congress to continue the grant-in-aid program at its maximum level of \$50,000,000 a year until the authorized \$500,000,000 is expended. Failure to do so will be a long and disastrous step backwards in a program which in its second year of operation has achieved such success and public approval.

Be it further resolved, that a copy of this resolution be forwarded to the president, the director of the budget, the secretary of the Health, Education and Welfare Department, the surgeon general and the appropriation and public works committees of the senate and the house of representatives.

RESOLUTION NO. 23

NEZ PERCE DAM

Whereas, the Nez Perce dam on the Snake river between Oregon and Idaho would be an impassable block to the continued migration of